



**STATE MINING & GEOLOGY BOARD**  
DEPARTMENT OF CONSERVATION  
STATE OF CALIFORNIA



**RESULTS**

**THE STATE MINING AND GEOLOGY BOARD**

**Will hold a Regular Business Meeting on:**

**January 16, 2003**

**9:00 A.M.**

**Department of Consumer Affairs  
400 R Street, 1<sup>st</sup> Floor Hearing Room  
Sacramento, California**

**AGENDA**

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(NOTE: The Chairman may alter the hearing start time or agenda item order during the meeting)

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**I Call to Order (Jones)**

**II Roll Call and Declaration of a Quorum**

**III Director's Report (Young, Department of Conservation) (Information)**

**IV Chairman's Report (Jones) (Information)**

**V Executive Officer's Report (Parrish) (Information)**

**VI Good of the Meeting (Information)**

(This time is scheduled to provide the public with an opportunity to address non-agenda items. Those wishing to speak should do so at this time. Speakers are limited to three minutes except by special consent of the Chairman)

**VII Consent Items (Action)**

1. Approval of **Minutes**, December 12, 2002 Regular Business Meeting  
**APPROVED**

**VIII Continued Business Items (Action)**

(These business items have been continued from a previous meeting)

2. Status Report on SMARA Exemption Granted to Jon Messick, Yuba County.

**STAFF REPORT**

**EXEMPTION EXTENDED 6 MONTHS**

*Mission of the State Mining and Geology Board is to Represent the State's Interest in the Development, Utilization and Conservation of Mineral Resources; Reclamation of Mined Lands; Development of Geologic and Seismic Hazard Information; and to Provide a Forum for Public Redress*

3. Approval of Amended Reclamation Plan for Garnet Pit, CA Mine ID # 91-33-0031, Granite Construction Company, operator; City of Palm Springs. (Note: Annual Inspection Report for this site is scheduled for presentation later in the meeting.)

STAFF REPORT

ACTION DEFERRED

4. Approval of Interim Management Plan for Garnet Pit, CA Mine ID # 91-33-0031, Granite Construction Company, Operator; City of Palm Springs

STAFF REPORT

ACTION DEFERRED

5. Consideration of Approval of Amended Reclamation Plan and Financial Assurance for Otay Ranch Pit, CA Mine ID # 91-37-0035, Hanson Aggregates, Inc., City of Chula Vista. (Note: Annual Inspection Report for this site is scheduled for presentation later in the meeting.)

STAFF REPORT

ACTION DEFERRED

6. Issuance of a Notice of Violation to Somerset Sand Mine, CA Mine ID # 91-09-0009, El Dorado County, for Failure to Maintain a Revegetation Test Plot in Accordance with the Approved Reclamation Plan.

STAFF REPORT

NOTICE OF VIOLATION TABLED

## IX New Business

(Action)

7. Approval of Regulatory Language Adding Section 3704.1 to Title 14, California Code of Regulations, Requiring the Backfilling and Site Recontouring of Open Pit Mine Excavations for Metallic Minerals. (Action will commence 45-day public comment period).

STAFF REPORT

LANGUAGE APPROVED, REGULATORY PROCESS STARTED

8. Hearing of an [Order](#) to Cease and Desist Issued to Snows Road Quarry, CA Mine ID # 91-09-0012, Snows Quarry Products, operators; El Dorado County; for Failure to Possess a Financial Assurance.

STAFF REPORT

ACTION DEFERRED

9. Issuance of an Administrative Penalty to Snows Road Quarry, CA Mine ID # 91-09-0012, Snows Quarry Products, operators, El Dorado County; for Conducting Operations in Violation of a Cease and Desist Order

Issued November 14, 2002 and Made Effective January 16, 2003.

STAFF REPORT

ACTION DEFERRED

10. Issuance of an **Order** to Comply to Snows Road Quarry, CA Mine ID # 91-09-0012, Snows Quarry Products, operators; El Dorado County; for Failure to Obtain Documentation from the California Department of Fish and Game Regarding Special Animal Species, as Required by the Approved Reclamation Plan

STAFF REPORT

ACTION DEFERRED

11. Issuance of an **Order** to Comply to Clinton and Kathleen Donovan, Operators, Donovan Ranch Property; El Dorado County; for Failure to Obtain an Approved Reclamation Plan, Financial Assurance, and County Permit Prior to Conducting Surface Mining Activities, in Violation of the Surface Mining and Reclamation Act.

STAFF REPORT

ORDER TO COMPLY ISSUED

12. Consideration of an Interim Management Plan for Weber Creek Quarry, CA Mine ID # 91-09-0002; Sierra Rock, Operator; El Dorado County.

STAFF REPORT

INTERIM MANAGEMENT PLAN DEEMED INADEQUATE

13. **PUBLIC HEARING**: Pursuant to PRC § 2696(b) and CCR § 3723(a), a hearing will be conducted to receive public comments and recommendations for the Preliminary Seismic Hazard Maps specific to the areas encompassed in the High Vista, Condor Peak, Agua Dulce, and Lovejoy Buttes quadrangles in Los Angeles County; and, the Matilija quadrangle in Ventura County.

NO NEW COMMENTS WERE RECEIVED

14. **PUBLIC HEARING**: Pursuant to PRC § 2622 and CCR § 3602, a hearing will be conducted to receive public comments and recommendations for the Preliminary Earthquake Fault Zone Maps specific to areas encompassed in the Corona North and Corona South quadrangles (City of Corona); Deadman Lake NW, Deadman Lake SE, Deadman Lake SW, Hector, Hidalgo Mountain, Lavic Lake, Lavic Lake SE, Morgan's Well, Sleeping Beauty, Sunshine Peak, and Prado Dam quadrangle (County of San Bernardino); and Point Loma quadrangle (San Diego County)

NO NEW COMMENTS WERE RECEIVED

15. Election of Vice Chairman of the Board Pursuant to PRC § 669 and the Board's Bylaws.

STAFF REPORT

ROBERT GRIEGO ELECTED AS VICE CHAIRMAN

16. Review and Establishment of Board's Committees Pursuant to the Board's Bylaws (III Organization).

STAFF REPORT

COMMITTEE STRUCTURE ESTABLISHED

**X Special Reports and Department Presentations**

(Information)

(Based on these Reports, the Chairman may instruct the Board staff to initiate administrative actions)

a) Presentation of Mine Inspection Reports for the Following Surface Mines:

- Otay Ranch Quarry, CA Mine ID # 91-37-0035; City of Chula Vista
- Garnet Pit, CA Mine ID # 91-33-0031; Palm Springs
- Cal Sierra, CA Mine ID # 91-58-0003, Yuba County
- Western Aggregates, CA Mine ID # 91-58-0001; Yuba County
- Baldwin Construction at Hallwood, CA Mine ID # 91-58-0002, Yuba County
- Teichert Hallwood, CA Mine ID # 91-58-0006, Yuba County
- Teichert Marysville, CA Mine ID # 91-58-0019, Yuba County

INSPECTION REPORTS ACCEPTED AS ADEQUATE

**XI SMGB Committee Reports**

(Information)

## **XII Executive Session (Closed to the Public)**

[The Board will discuss information from its legal counsel on pending litigation and may take appropriate actions based on this information. This session is being held under Government Code § 11126.] Items to be discussed:

- a) Raney vs. SMGB, Case # SCVSS69392, San Bernardino Superior Court
- b) Calvert, et al vs. SMGB et al, Case # OOC01434, Sacramento Superior Court
- c) Loring Brunius vs. SMGB, Case # PC 20010449, El Dorado County
- d) An un-named case where there is potentially significant exposure to litigation against the Board.

Annual Performance Review of Executive Officer

## **XIII Reopen Regular Business Session, Announce Results of Executive Session**

**NO ACTIONS TAKEN**

## **XIV Announcements of Future Meetings**

**FEBRUARY 13TH SLATED AS FULL BOARD MEETING IN SOUTHERN CALIFORNIA**

## **XV Adjournment**

**NOTE:** ITEMS TO BE CONSIDERED FOR PLACEMENT ON A BOARD MEETING AGENDA MUST BE SUBMITTED NOT LATER THAN THIRTY (30) DAYS PRIOR TO THE SCHEDULED MEETING.

**NOTE:** BOARD MEETINGS ARE OPEN TO THE PUBLIC AND ARE HELD IN BARRIER FREE FACILITIES IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT. FOR ADDITIONAL INFORMATION OR ASSISTANCE, CONTACT THE BOARD OFFICE.

**NOTE:** INFORMATION REGARDING STATE MINING AND GEOLOGY BOARD MEETINGS MAY BE OBTAINED BY CALLING THE BOARD OFFICE AT (916) 322-1082. COPIES OF STAFF REPORTS AND APPROVED MINUTES MAY BE OBTAINED BY WRITING THE BOARD OFFICE AT 801 'K' STREET, MS 24-05, SACRAMENTO, CALIFORNIA 95814 OR BY ACCESSING THE BOARD'S WEB SITE: <http://www.consrv.ca.gov/smgb/>

**NOTE:** IF YOU WISH TO COMMENT ON AN AGENDA ITEM OR SPEAK DURING THE PUBLIC COMMENTS PERIOD, PLEASE FILL OUT A "REQUEST TO SPEAK" FORM, AVAILABLE AT THE MEETING ROOM ENTRANCE, AND GIVE IT TO THE BOARD SECRETARY. PLEASE DELIVER THE FORM PRIOR TO THE ITEM BEING HEARD BY THE BOARD. DURING THE PUBLIC COMMENT PERIOD, EACH SPEAKER IS LIMITED TO A MAXIMUM OF THREE MINUTES. AT THE DISCRETION OF THE CHAIRMAN, MORE TIME MAY BE GRANTED.

**NOTE:** INDIVIDUALS ARE ENCOURAGED TO SUBMIT WRITTEN STATEMENTS OF ANY LENGTH AND DETAIL TO THE BOARD. IT IS PREFERABLE THAT THESE STATEMENTS BE SUBMITTED AT LEAST FIFTEEN DAYS PRIOR TO THE MEETING SO THAT THE BOARD MEMBERS CAN PREVIEW THE INFORMATION BEFORE THE MEETING. PLEASE SUBMIT 12 COPIES OF ALL WRITTEN MATERIALS IN EXCESS OF TWO PAGES. THE BOARD WILL NOT REPRODUCE REPORTS IN EXCESS OF TWO PAGES OR LARGE MAPS, PHOTOS, OR OTHER DOCUMENTS REQUIRING SPECIAL HANDLING.

**INDIVIDUALS ARE RESPONSIBLE FOR PRESENTING THEIR PROJECTS AT THE PUBLIC HEARING.**

**NOTE:** A CLOSED SESSION MAY BE CALLED BY THE CHAIRMAN TO DISCUSS LITIGATION AND OTHER PRIVILEGED ATTORNEY/CLIENT COMMUNICATIONS BY AUTHORITY OF GOVERNMENT CODE §11126(q) AND SACRAMENTO NEWSPAPER GUILD vs. SACRAMENTO COUNTY BOARD OF SUPERVISORS [1968] 266(b) CAL. APP. 2nd, 41; BASIS OF "LITIGATION" EXCEPTION IS THE ATTORNEY/CLIENT PRIVILEGE.

**NOTE:** AS A STATE AGENCY, THE BOARD IS GOVERNED BY THE BAGLEY-KEENE OPEN MEETING ACT THAT REQUIRES THE BOARD TO (1) PUBLISH AN AGENDA AT LEAST TEN DAYS IN ADVANCE OF ANY MEETING; (2) DESCRIBE IN THE

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AGENDA SPECIFIC ITEMS TO BE TRANSACTED OR DISCUSSED; AND, (3) REFUSE TO ADD AN ITEM AFTER THE AGENDA IS PUBLISHED.